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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

AFFIDAVIT IN SUPPORT
OF A SEARCH WARRANT
(T. 21 U.S.C. §§
841(a)(1) and 846)

U.S. EXPRESS MAIL PARCEL NO.
EH051714933US
ADDRESSED TO
GARY MOSES,
EAST 102, 8I,
BROOKLYN, NY 11236

AND

U.S. EXPRESS MAIL PARCEL NO.
EI402525024US
ADDRESSED TO
KATLINA LABELL,
119-11 236 STREET, 2nd FLOOR,
CAMBRIA HEIGHTS 11411

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EASTERN DISTRICT OF NEW YORK, SS:

MARIA ALBRIGHT, being duly sworn, deposes and says that she is a Postal Inspector with the United States Postal Inspection Service ("USPIS"), duly appointed according to law and acting as such.

Upon information and belief, there is probable cause to believe that, presently concealed within U.S. EXPRESS MAIL PARCEL EH051714933US ADDRESSED TO GARY MOSES, EAST 102, 8I, BROOKLYN, NY 11236 ("SUBJECT PACKAGE A") AND U.S. EXPRESS MAIL PARCEL EI402525024US ADDRESSED TO KATLINA LABELL, 119-11 236 STREET, 2nd FLOOR, CAMBRIA HEIGHTS 11411. ("SUBJECT PACKAGE B") are

controlled substances which constitute evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 846.

The source of your affiant's information and the grounds for her belief are as follows:¹

1. I am employed as a Postal Inspector with the USPIS, currently assigned to the Prohibited Mailing/Narcotics Team. I have been a Postal Inspector for approximately eight years. In that capacity, I have participated in numerous narcotics investigations, including the execution of search warrants and narcotics seizures. I am familiar with the facts and circumstances of this investigation from my personal participation in the investigation and from information obtained from other law enforcement agents.

2. Prior investigations and trafficking intelligence have demonstrated that United States Express and Priority Mail have become methods of choice by dealers of narcotics for the transportation of narcotics. Prior investigations have also revealed that United States Express Mail parcels of controlled substances destined for delivery in the New York area often originate from various source locations, including Texas.

3. On or about July 2, 2012, U.S. Postal Inspectors responded to the Canarsie Post Office located at 102-01 Flatlands

¹ Because the purpose of this Affidavit is to set forth only those facts necessary to establish probable cause to search, I have not set forth all of the facts and circumstances of which I am aware.

Avenue, Brooklyn, NY 11236 after receiving a call from Post Office Management stating they had a package (SUBJECT PACKAGE A) that was emitting a strong odor of marijuana. SUBJECT PACKAGE A originated from Humble, Texas and is an approximately 12" X 12" X 12" brown cardboard box weighing approximately 7 pounds. SUBJECT PACKAGE A bears a return address that is partially illegible because the Mailing Label copy is torn off but reads in part STEVE AUTO PARTS, 842 1st, HUMBLE, TX 77346 and is addressed to GARY MOSES 1590 E 102ND STREET, 81 BROOKLYN, NY 11236. This address was confirmed by an unknown individual who contacted the post office to give the proper delivery address. The parcel has excessive taping on its seams. Public and Postal database checks revealed the return address to be fictitious and there was no such person listed at the sender address.

4. On July 2, 2012, U.S. Postal Inspectors responded to the Cambria Heights Post Office located at 229-01 Linden Blvd, Cambria Heights, NY after receiving a call from Post Office Management stating they had a package (SUBJECT PACKAGE B) that was emitting a strong odor of Marijuana. SUBJECT PACKAGE B originated from HOUSTON, TEXAS and is an approximately 15" X 12" X 10" brown cardboard box weighing approximately 11 pounds. SUBJECT PACKAGE B bears a return address of MADLIN WATERS, 14365 CORNERSTONE VILLAGE, Apt 1401, HOUSTON, TX 77014 and is addressed to Katlina Labell, 119-11 236 Street, 2nd floor, Cambria Heights 11411. Public and Postal database checks revealed there was no

one named MADLIN WATERS at the return address nor was there anyone named KATLINA LABELL at the intended recipient address in the BROOKLYN, NY.

5. On July 5, 2012, in the course of my investigation, Inspectors met with NYPD Narcotics canine handler Detective Antoine Faison. Detective Faison is a certified narcotics detection dog handler. The SUBJECT PARCELS were submitted, for exterior inspection and review, to Detective Faison and his narcotics detection dog "ROSCOE". At approximately 12:40 p.m., ROSCOE sat next to SUBJECT PACKAGE A. Detective Faison informed me that the canine's reaction to SUBJECT PACKAGE A indicated a positive alert for the presence of controlled substances. During the course of ROSCOE's inspection of SUBJECT PACKAGE B, ROSCOE chewed into SUBJECT PACKAGE B, tearing a hole in the exterior of the package. While ROSCOE didn't sit next to SUBJECT PACKAGE B, USPIS Inspectors noticed a strong odor emanating from SUBJECT PACKAGE B. Based upon my training and experience, this odor is consistent with marijuana. SUBJECT PACKAGE B was subsequently viewed, unopened, by Postal Inspectors and a clear plastic container containing a large bundle wrapped in cellophane could be seen. Based on my training and experience, this packaging is consistent with marijuana packaging methods.

6. "Roscoe" is a male Malinois and is certified as a narcotics detection dog by the New York City Police Department.

"Roscoe's" most recent certification took place in December 2010 through the New York City Police Department K-9 Training Academy.

"Roscoe" is certified to detect the odors of marijuana, cocaine, heroin and methamphetamines.

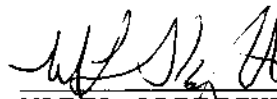
7. "Roscoe" has received numerous hours of training and is utilized on a daily basis for the purpose of detecting narcotic and marijuana odors. "Roscoe" is deployed to conduct searches of packages, containers, vehicles, buildings and their contents. "Roscoe" has been involved in hundreds of search warrants and has made numerous positive identifications.

8. The SUBJECT PARCELS are presently in the custody of the United States Postal Inspection Service in Brooklyn, New York.

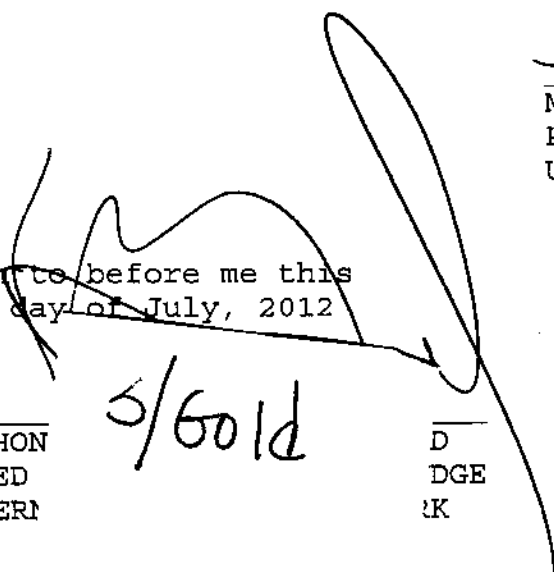
9. Based on the facts recited above, there is probable cause to believe that the SUBJECT PARCELS contain controlled substances.²

² A positive indication by a trained narcotics-detection canine to a parcel establishes probable cause to believe the parcel contains a controlled substance. See United States v. Glover, 957 F.2d 1004, 1013 (2d Cir. 1992) ("[O]nce the narcotics dog 'hit on' [the defendant's] bags, the police had probable

WHEREFORE, your affiant respectfully requests that a warrant be issued authorizing USPIS inspectors, with such other assistance as may be necessary, to open the SUBJECT PARCELS and to search for and seize controlled substances, all of which constitute evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 846.



MARIA ALBRIGHT
Postal Inspector
U.S. Postal Inspection Service



Sworn to before me this
11th day of July, 2012

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cause to obtain a search warrant.").